

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF NORTH CAROLINA
WINSTON-SALEM DIVISION**

FEDERAL TRADE COMMISSION, et
al.,

Plaintiffs,

v.

SYNGENTA CROP PROTECTION AG,
SYNGENTA CORPORATION,
SYNGENTA CROP PROTECTION, LLC

and

CORTEVA, INC.,

Defendants.

CASE NO. 1:22-CV-828-TDS-JEP

**DEFENDANTS' MOTION FOR LEAVE TO FILE DOCUMENT IN
SUPPORT OF MOTIONS TO DISMISS THE AMENDED COMPLAINT**

Defendants Syngenta Crop Protection AG, Syngenta Corporation, Syngenta Crop Protection, LLC (collectively, "Syngenta") and Corteva, Inc. ("Corteva") (collectively, "Defendants"), respectfully move for leave to file the attached amicus brief filed by Plaintiffs Indiana, Iowa and Nebraska on June 12, 2023, in the U.S. Court of Appeals for the Fifth Circuit, arguing that Plaintiff Federal Trade Commission's structure violates Article II of the U.S. Constitution. Plaintiffs Indiana, Iowa and Nebraska present the same constitutional challenges that Defendants present in their Motions to Dismiss the Amended Complaint in this Action. (Doc. 95 at 23-27; Doc. 99 at 3; Doc. 125 at 12-15.)

Respectfully submitted this 20th day of June, 2023.

MCGUIREWOODS LLP

/s/ Mark E. Anderson

Mark E. Anderson (Bar No. 15764)
manderson@mcguirewoods.com
501 Fayetteville Street, Suite 500
Raleigh, North Carolina 27601
Phone: 919.755.6600
Fax: 919.755.6699

David R. Marriott*
dmarriott@cravath.com
Margaret T. Segall*
msegall@cravath.com
CRAVATH, SWAINE & MOORE LLP
825 Eighth Avenue
New York, New York 10019
Telephone: (212) 474-1000
Facsimile: (212) 474-3700

*Specially appearing under L.R.
83.1(d)

Attorneys for Defendant Corteva, Inc.

FOX ROTHSCHILD LLP

/s/ Patrick M. Kane

Patrick M. Kane (Bar No. 36861)
pkane@foxrothschild.com
230 N. Elm Street, Suite 1200
PO Box 21927 (27420)
Greensboro, NC 27401
Telephone: (336) 378-5200
Facsimile: (336) 378-5400

Paul S. Mishkin*
paul.mishkin@davispolk.com
DAVIS POLK & WARDWELL LLP
450 Lexington Avenue
New York, NY 10017
Telephone: (212) 450-4292
Facsimile: (212) 701-5292

*Specially appearing under L.R.
83.1(d)

*Attorneys for Defendants Syngenta
Crop Protection AG, Syngenta
Corporation, and Syngenta Crop
Protection, LLC*